Remarks

The Abstract has been amended to comply with MPEP § 608.01(b).

Claims 18, 19, 22, 31 were objected to with respect to the use of the term, "the latter." These claims have been corrected. Claim 33 was objected to for lack of proper antecedent basis for the term, "compact openings." This has been corrected with an amendment to Claim 18, from which Claim 33 (indirectly) depends. Claim 37 was objected to for lack of proper antecedent basis for the term, "peripheral openings." This has been corrected with an amendment to the claim to recite, "extending openings." Claim 40 was objected to for the term, "elastomer (TPE) in which the" and has been amended to recite, "valve body is made from a thermoplastic elastomer (TPE)."

Applicants have complied with all of the Examiner's requirements with respect to the objections. Accordingly, the objections should be withdrawn.

Claim 28 was rejected under 35 U.S.C. § 112, second paragraph. Claim 28 has been canceled.

Amended Claim 18 includes the combined features of former Claim 18 and former Claim 28. Amended Claims 19, 22, 31, 37 and 40 are amended to comply with the suggestions of the Examiner. New independent Claim 41 includes the features of former Claim 18 and features disclosed on page 3, line 7. New independent Claim 42 includes the features of former Claim 18 and features disclosed on page 3, line 16. New independent Claim 43 includes the features of former Claim 18 and features disclosed on page 9, line 17 and the figures 2, 4a and 5. It is not necessary to amend Claims 28 and 33 since the compact openings are now clearly defined in amended Claim 18.

Amended Claim 18 now recites a breast shield with a diaphragm of a valve, the diaphragm comprising elongate openings and additional compact openings. The elongate openings open the valve conduit. The compact openings compensate stresses such that the functionality of the valve is guaranteed even after it has been cleaned by heating (*see* page 3, line 23). The compact openings also prevent stresses when the diaphragm is cooled after its production.

Former Claim 18 as well as former Claim 28 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Samson in view of Guala. However, neither Guala nor Sampson teaches elongate openings and additional compact openings as recited in amended Claims 18. None of the cited references suggest using compact openings in order to avoid stress during cleaning and cooling

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down after production. Because the elongate openings and additional compact openings are not shown in the cited references, there is no case of *prima facie* obviousness.

The above arguments can be applied to new Claim 42. The thinned parts of the diaphragm also prevent stress when the diaphragm is cooled down after production and when the diaphragm is heated during cleaning. Neither Guala nor Samson suggests using thinned areas for this purpose. Because the thinned parts of the diaphragm are not shown in the cited references, there is no case of *prima facie* obviousness.

In new Claim 41, the elongate dimensions of the elongate openings are set out. In Guala, figure 2, the elongate dimensions of the openings extend in a radial direction and not along the circle. Since Guala and the other references do not show the claimed elongate openings, this claim should be allowable over the cited references.

In new Claim 43, the valve body is a unitary part comprising the jacket and the diaphragm. This jacket allows the attachment to the valve seat. In Samson, the diaphragm has to be arranged between two parts of the valve seat, it has to be clamped. The same applies to Guala. Since Guala and the other references do not show the claimed valve body being a unitary part including the jacket and the diaphragm, this claim should be allowable over the cited references.

The breast shield according to Claim 22 can only be used until it has to be cleaned, i.e., for a limited period of time. Since at least a part, preferably the valve body, is made of a non-autoclavable material, the breast shield does not function any more after it has been cleaned (*see* page 4, line 13 to page 5, line 20). Claim 22 was rejected by the Examiner in view of Samson in combination with Edwards. Samson does not disclose that any part of the breast shield is made of a non-autoclavable material. Edwards only discloses a valve of an apparatus in medical devices made of a known non-autoclavable material. However, Edwards is silent that the material is non-autoclavable. A person skilled in the art has no hint to use the material mentioned in Edwards for the breast shield mentioned in Samson. Especially, there is no hint that it is possible to fulfill hygiene regulations by using this material for at least one part of the breast shield or for making the breast shield non-autoclavable. Since there is no suggestion to combine Edwards and Samson and no teaching or suggestion in Edwards and Samson to supply the claimed limitations recited in Claim 22, this claim should be allowed over the cited references.

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Applicants request reconsideration and an indication that all claims are allowed over the cited prior art.

Respectfully submitted,

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